

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA

ASHLEY H. THOMPSON, mother,
JUSTIN THOMPSON, minor child,
and RONALD C. THOMPSON,
husband,

Plaintiffs,

v.

RUBEN GARZA,

Defendant.

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* CIVIL ACTION NO. 2:06-cv-420-WHA

MOTION TO APPOINT GUARDIAN AD LITEM AND
SET HEARING DATE

COMES NOW the Defendant in this case and respectfully requests this Honorable Court to appoint a guardian ad litem for the minor, Justin Thompson, in the current case. As grounds therefor, the Defendant respectfully states the following:

1. Justin Thompson is a minor.
2. Justin Thompson is a Plaintiff in an action pending before this Honorable Court. Rule 17(c) of the Federal Rules of Civil Procedure allows for the appointment of a guardian ad litem in this case.
3. On June 13, 2007, as a part of a mediation in this case, the parties reached a settlement with respect to the claim of Justin Thompson. The Defendant respectfully requests this Honorable Court to set a final hearing in this matter so that the settlement and its terms may be evaluated by the Court for approval.

WHEREFORE, the Defendant respectfully requests this Honorable Court to appoint a guardian ad litem as allowed under the Federal Rules of Civil Procedure. Furthermore,

the Defendant requests that this Court set this matter for a final hearing.

Respectfully submitted this the 13th day of June, 2007.

/s/ S. Anthony Higgins
S. ANTHONY HIGGINS
Attorney for Defendant

OF COUNSEL:
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CERTIFICATE OF SERVICE

I hereby certified that on the 13th day of June, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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/s/S. Anthony Higgins
Of Counsel